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VIA ECF

Honorable Dora L. Irizarry
United States District Judge
United States District Court, Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: ***Weiss, et al. v. National Westminster Bank Plc, 05-cv-4622***
Applebaum, et al. v. National Westminster Bank Plc, 07-cv-916
Strauss, et al. v. Crédit Lyonnais, S.A., 06-cv-702
Wolf, et al. v. Crédit Lyonnais, S.A., 07-cv-914

Dear Chief Judge Irizarry:

We represent Plaintiffs in both the National Westminster Bank (“NatWest”) and Crédit Lyonnais (“CL”) cases, and write on behalf of all Plaintiffs’ counsel in response to Mr. Friedman’s October 19, 2017, letter which states that because the two defendant banks “may have diverging interests with respect to Mr. Turner’s request [that *NatWest* be tried first], my ethical obligations preclude me from advising both of them on this subject.”

Plaintiffs’ counsel is not in a position to advise whether the defendants have diverging interests, and if so, why such a claimed divergence has only arisen a decade into the pendency of these actions. Nevertheless, Your Honor can relieve defense counsel of any dilemma by simply granting Plaintiffs’ request that the case first-filed and with the lower docket number, *NatWest*, proceed to trial first, and by entering a revised scheduling order reflecting that the joint submission of the pretrial order for *NatWest* precede the submission for *CL*.

Plaintiffs do not dispute that, in the course of eleven years of litigation, there were times when *CL* was procedurally more advanced than *NatWest* – not least because the Court initially granted summary judgment to *NatWest*. However, since September 2014,

the two cases have essentially proceeded temporally on the same track, and there is no reason why *NatWest* cannot go to trial first.

That said, regardless of which case proceeds to trial first, Plaintiffs hope the Court can resolve the matter without waiting for defendants' counsel to sort out their eleventh-hour conflict and will set a trial date in the near future – preferably in Spring 2018 – for one or both of these cases, which our clients have patiently litigated for a decade.

Respectfully submitted,

/s/ Tab Turner

CTT/lg

cc: All Counsel of Record